

REMARKS

This responds to the Office Action mailed on 15 May 2009. Claims 1, 11, 24, 38 and 44 are amended. The amendments are supported by at least FIG. 1 and the related description of the block and tackle orientation throughout the present application. No new matter has been added. Claims 1-28 and 38-44 remain pending in the application.

Interview Summary

Applicant's representative L. Grant Foster engaged in an in-person interview with Examiner Darwin Erez on 1 June 2009. The parties discussed possible amendments to the independent claims to overcome the rejections in the present Office Action. The Examiner agreed that amendments to the claims, as set forth above, would overcome the current rejections.

Claim Rejections – 35 U.S.C. § 112

Claim 1-28 and 38-44 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 1 and 44 are amended to recite that a portion of the block and tackle is anchored to the proximal end of the closure device. Claims 1, 24, 38 and 44 are amended to recite that the block and tackle is spaced proximally of the anchor and sealing plug (claims 1, 38, 44) or collagen sponge (claim 24). Claim 11 is amended to clarify that the block and tackle is positioned proximally of the internal and external components. Claim 38 is amended to recite that the first filament connects a portion of the block and tackle to the anchor and the sealing plug.

In view of the above, Applicant submits that claims 1, 11, 24, 38 and 44, and the claims that depend from them, comply with the enablement requirement.

Conclusion

For at least the foregoing reasons, Applicant believes that each of the presently pending claims in this application is in immediate condition for allowance. Accordingly, Applicant respectfully requests a favorable action on the merits. If there remain any unresolved issues, Applicant invites the Examiner to telephone the undersigned attorney to expedite the handling of this matter.

Applicant expressly disclaims all arguments, representations, and/or amendments presented or contained in any other patent or patent application, including any patents or patent applications claimed for priority purposes by the present application or any patents or patent applications that claim priority to this patent application. Moreover, all arguments, representations, and/or amendments presented or contained in the present patent application are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application.

Respectfully submitted,

Date: 14 August 2009


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